

Notice of Allowability

Application No.

09/982,555

Examiner

Dennis G. Bonshock

Applicant(s)

CHATANI ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE filed on 4-18-2005.
2. ☒ The allowed claim(s) is/are 1-15 and 22.
3. ☒ The drawings filed on 20 March 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 6-29-2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Brian Hennessey on August 17, 2005.
3. The application has been amended as follows:
4. - Claims 16-21 have been cancelled by the applicant.
5. - In claims 1-3, 5, and 9, the Attorney stated that "*positionably*" had been misspelled as "*positionably*". All occurrences of "*positionably*" will be replaced in the claims by the term "*positionally*".

In claim 1, line 2, delete the whiten space.

In claim 1, line 7, replace "*positionably*" with --*positionally*--.

In claim 1, line 9, replace "*positionably*" with --*positionally*--.

In claim 1, line 11, replace "*positionably*" with --*positionally*--.

In claim 2, line 2, replace "*positionably*" with --*positionally*--.

In claim 3, line 3, replace "*positionably*" with --*positionally*--.

In claim 5, line 3, replace "*positionably*" with --*positionally*--.

In claim 9, line 3, replace "*positionably*" with --*positionally*--.

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:
2. The examiner considered the Applicant's Amendment filed on 4-18-2005 and after updated search, no other prior art of record has taught that which was presented in the amended claims
3. Therefore, claims 1-15 and 22 are allowable.
4. Independent claims 1, 11, and 22, when considered as a whole, are allowable over the prior art of record (Berstis, Patent #6,018,345, hereinafter Berstis345 and Berstis, Patent #5,920,304, hereinafter Berstis304). Berstis345 teaches a data processing system for connection to a network comprising: a data processing unit (see Berstis345 column 2, line 15 and figure 2), a display (see Berstis345 column 1, line 58), a controller (see Berstis345 column 2, lines 55-59), and a display capable of displaying a website downloaded from the network (see Berstis345 column 1, lines 51-59). Berstis345 further teaches, in column 1, line 51 through column 2, line 3, a cursor that can be presented in a different manner (upon the cursor being moved over a link) so as to allow selection from an input device. Berstis345 further teaches, in figure 2, in column 3, lines 51-67, column 6, lines 6-26, and column 6, lines 10-45, a guidance picture which is overlaid on an internet web page containing links, wherein when positioned over a link providing the display with a selection means from the controller. Berstis345 further teaches, in column 3, lines 54-59, that selection of the "GO" button links to the selected page, while selection of the "BACK" button links to a page a user previously visited. Berstis345 further teaches, in column 6, lines 10-16, the pointer icon

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closely resembling the actual buttons on the remote. Berstis345, however, doesn't specifically teach a plurality of options identified by icons arranged around a hyperlink. Berstis304 teaches a system in which a cursor changes appearance as scrolled over a link (see column 6, lines 35-54), similar to that of Berstis345, but further teaches the cursor's ability to display a plurality of items activatable by the remote (see column 6, line 55 through column 7, line 6). It would have been obvious to one of ordinary skill in the art, having the teachings of Berstis345 and Berstis304 before him at the time the invention was made to modify the cursor display system of Berstis345 to include the multiple selectable icons around a link, as did Berstis304. One would have been motivated to make such a combination because this would allow the user more insight to which items are preferably selectable when over a particular link. Berstis345 and Berstis304 teach that a visual display can be provided to a user containing an option that, when selected, links a user to the contents of the specific hyperlink they are positioned over, however, specifically the prior art of record fails to clearly teach or support the limitations of the "plurality of options including at least an option effecting a connection to a network address specified by a hyperlink other than said one of said at least one positionally selectable hyperlink".

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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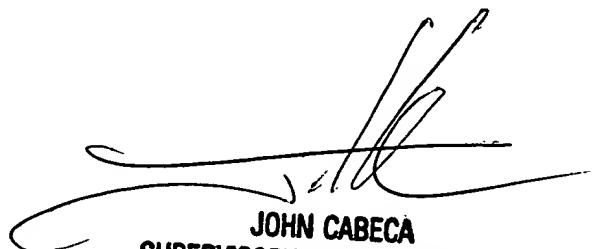
Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis G. Bonshock whose telephone number is (571) 272-4047. The examiner can normally be reached on Monday - Friday, 6:30 a.m. - 4:00 p.m.

7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

8-17-05
dgb


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